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10 Attorneys for Defendants
11 TOWN OF ATHERTON, DIEGO ROMERO,
12 DIMITRI ANDRUHA, IGOR DAVIDOVICH
13 (erroneously sued as Igor Davidowich), and
14 JOSHUA GATTO

15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA

17 K.C., by and through his Guardian ad Litem,
18 MYISCHA THOMPSON; D.B., by and
19 through his Guardian ad Litem, LIBRA
20 WHITE,

21 Plaintiff,

22 v.

23 TOWN OF ATHERTON, a municipal
24 corporation; DAVID METZGER, individually
25 and in his official capacity as a police sergeant
1 for the TOWN OF ATHERTON; DIEGO
2 ROMERO, individually and in his official
3 capacity as a police officer for the TOWN OF
4 ATHERTON; IGOR DAVIDOWICH,
5 individually and in his official capacity as a
6 police officer for the TOWN OF
7 ATHERTON; JOSHUA GATTO, individually
8 and in his official capacity as a police officer
9 for the TOWN OF ATHERTON; DIMITRI
10 ANDRUHA, individually and in his official
11 capacity as a police officer for the TOWN OF
12 ATHERTON; SEQUOIA UNION HIGH
13 SCHOOL DISTRICT, a municipal
14 corporation; STEPHEN EMMI, individually
15 and in his official capacity, NICK MUYS,
16 individually and in his official capacity, and
17 DOES 1-100, inclusive, individually, jointly,
18 and severally,

19 Defendants.

20 Case No.
21 3:24-cv-00507-RFL

22 **STIPULATION FOR FURTHER
23 EXTENSION OF TIME FOR
24 ATHERTON DEFENDANTS TO FILE
25 A RESPONSIVE PLEADING**

STIPULATION

Plaintiffs K.C., by and through his Guardian ad Litem, Myischa Thompson; D.B., by and through his Guardian ad Litem, Libra White (collectively “Plaintiffs”) and Defendants Town of Atherton, Diego Romero, Dimitri Andruha, Igor Davidovich (erroneously sued as Igor Davidovich), and Joshua Gatto (collectively “Atherton Defendants”), by and through their respective undersigned counsel, pursuant to Northern District Civil Local Rule 6-1(a), hereby stipulate as follows:

Plaintiffs filed the Complaint for Damages on January 26, 2024;

Plaintiffs did not serve Atherton Defendants with the Complaint for Damages;

Plaintiffs filed the First Amended Complaint on April 1, 2024;

Atherton Defendants executed waivers of service of the First Amended Complaint on May 8, 2024;

Atherton Defendants' initial deadline to respond to the First Amended Complaint was July 8, 2024;

On July 3, 2024, counsel for Plaintiffs and counsel for Atherton Defendants filed stipulation for an extension of time for Atherton Defendants to file their responsive pleading as the parties engaged in their meet and confer efforts related to the First Amended Complaint;

Counsel for Plaintiffs and counsel for Atherton Defendants have continued and are currently engaged in ongoing meet and confer efforts related to the First Amended Complaint;

Counsel for Plaintiffs has acknowledged that some of the claims brought in the First Amended Complaint maybe subject to a motion to dismiss;

Plaintiffs and the Atherton Defendants agree that additional time is needed to complete their meet and confer efforts to avoid unnecessary motion practice;

There has been one previous extension of time to respond to the First Amended Complaint, as noted above;

The extension of time set forth below will not alter the date of any event or any deadline already fixed by Court order.

1 NOW THEREFORE, THE UNDERSIGNED PARTIES STIPULATE TO the
2 following:

3 That counsel of record for Plaintiffs and Atherton Defendants have the authority to enter
4 into this Stipulation on behalf of their respective clients.

5 That the deadline for the Atherton Defendants to file a response to Plaintiffs' First
6 Amended Complaint is extended to October 9, 2024.

7
8 **IT IS SO STIPULATED.**

9 DATED: August 19, 2024

HAWKINS PARNELL & YOUNG LLP

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11 By: /s/ Danielle K. Lewis
12 DANIELLE K. LEWIS
13 MILES F. MAURINO
14 Attorneys for Defendants
15 TOWN OF ATHERTON, DIEGO
16 ROMERO, DIMITRI ANDRUHA,
17 IGOR DAVIDOVICH (erroneously
18 sued as Igor Davidowich), and JOSHUA
19 GATTO

20 DATED: August 19, 2024

21 BURRIS NISENBAUM CURRY & LACY
22 LLP

23 By: /s/ Christopher A. Dean
24 JOHN L. BURRIS
25 CHRISTOPHER A. DEAN
26 Attorneys for Plaintiffs
27 K.C., by and through his Guardian ad
28 Litem, MYISCHA THOMPSON; D.B.,
by and through his Guardian ad Litem,
LIBRA WHITE

1 DATED: August 19, 2024
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4

SPECIAL EDUCATION COLLABORATION
PROJECT

5 By: /s/ Evan Goldsen
6 EVAN GOLDSEN
7 CARLY CHRISTOPHER
8 Attorneys for Plaintiffs
9 K.C., by and through his Guardian ad
10 Litem, MYISCHA THOMPSON; D.B.,
11 by and through his Guardian ad Litem,
12 LIBRA WHITE

13 **FILER'S ATTESTATION**
14
15

I, Danielle K. Lewis, hereby attest that all other signatories listed herein concur in the
filing's content and have authorized that their electronic signature be affixed above and have
authorized the filing.

16
17 DATED: August 19, 2024
18
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/s/ Danielle K. Lewis
20 DANIELLE K. LEWIS
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